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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,829	09/26/2003	Kenneth P. Friedrich	10378	1333

7590 03/06/2007  
Mark G Bocchetti  
Eastman Kodak Company  
343 State Street  
Rochester, NY 14650-2201

EXAMINER
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TRAN, HUAN HUU

ART UNIT	PAPER NUMBER
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2861

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/06/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/672,829

Applicant(s)

FRIEDRICH ET AL.

Examiner

Huan H. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5, 11, 12 and 14 is/are allowed.
- 6) ☒ Claim(s) 6-10 and 13 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____                                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/24/05</u> .  | 6) <input type="checkbox"/> Other: ____                           |

## **DETAILED ACTION**

### ***Oath/Declaration***

1. Receipt is acknowledged of the executed Declaration on 02/05/04.

### ***Claim Objections***

2. Claim 11 is objected to because of the following informalities: Claim 11, "the at least one toner identification circuits" lacks antecedent basis. It should be changed to "the at least one toner identification circuit". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 6, 7-8, 9, 10, 13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Warbus et al. (US Patent No. 6236816).

As to claim 6, Warbus et al. discloses a computer readable storage medium (memory EP in Fig. 1) storing computer readable program code for discovering a toner station identity, the computer readable program code comprising:

data encoding a table of at least one digital identification signal and a toner station identity associated with each at least one digital identification signal; and

a computer code implementing an identification algorithm in response to input of a digital identification signal.

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As to claim 7, Warbus et al. discloses a computer readable storage medium storing computer readable program code discovering whether an installed toner holder is a correct toner holder for a job type, the computer readable program code comprising: data encoding a table of at least one job type and at least one correct toner holder associated with each at least one job type; and a first computer code implementing a job selection algorithm. See Col. 7, lines 30-47.

As to claim 8, Warbus et al. further comprising:

a second computer code implementing a security procedure algorithm; and data encoding at least one mandated security procedure. See memory SBK of controller SRA.

As to claim 9, Warbus et al. discloses a multi-toner printer comprising:

a means for identifying a toner holder (Fig. 1, chip CP); and

a means for storing the means for identifying a toner holder (Fig. 1, memory EP).

As to claim 10, Warbus et al. further discloses a display means ((Fig. 1, operator panel BF) and an input means (operator panel BF, Fig. 1).

As to claim 13., Warbus et al. discloses job selection algorithm for a multi-toner printer, comprising: enabling input of at least one job selection (via operational panel BF) ; identifying a toner holder installed in the multi-toner printer; and determining whether the toner holder is a correct toner holder for the at least one job selection, wherein if the toner holder is not the correct toner holder for the at least one job selection, disallowing the at least one job selection, and wherein if the toner holder is the correct toner holder for the at least one job selection,

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allowing the at least one job selection to print. See Fig. 1 and the detailed functioning of the control unit at Col. 7, lines 30-47.

***Allowable Subject Matter***

5. Claims 1, 2, 3, 4, 5 11, 12, 14 are allowed.

6. The following is a statement of reasons for the indication of allowable subject matter:

Claims 11, 12 and 14 are allowable primarily because prior art to Warbus et al. does not appear to teach or suggest a toner identification module comprising the limitation "at least one toner identification circuit, wherein one of the at least one toner identification circuits is located on each of the at least one toner holders, wherein each of the at least one toner identification circuits produces a unique voltage identification signal for the at least one toner holder on which it is located; an analog to digital converter coupled to the at least one toner identification circuit and receiving the unique voltage identification signal from each of the at least one voltage identification circuits, wherein the analog to digital converter converts the unique voltage identification signals into at least one corresponding digital identification signal"

Claims 4 and 5 are allowable because prior art to Warbus et al. does not teach or suggest the claimed toner identification circuit.

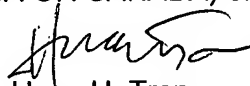
Claims 1, 2, 3 are allowable because prior art does not teach or suggest the claimed toner identification module or apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huan H. Tran whose telephone number is (571) 272-2261. The examiner can normally be reached on at work on T-F from 6:30am to 5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Luu can be reached on (571) 272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Huan H. Tran  
Primary Examiner  
Art Unit 2861

hht  
03/05/07